REMARKS/ARGUMENTS

The Office Action of July 7, 2006 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested. Claims 1-46 remain in this application. No new matter has been added.

Rejections under 35 U.S.C. § 102

Claims 1-5, 8-9, 12, 14-16, 19-23, 27-31, 33-34, 36, 38, 41-42 and 46 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. patent no. 5,659,693 to Hansen et al. ("Hansen"). Applicants respectfully traverse this rejection.

Amended independent claim 1 recites, among other features, "an automatic sizing routine for automatically sizing the tile during an automatic mode . . . wherein the automatic sizing routine is executed responsive to a change in tile content." The Office Action at page 2 previously relied on Hansen at col. 8, lines 42-44, lines 49-50, lines 60-62 (e.g., claims 2, 3, and 7), col. 1, line 60 – col. 2, line 14, and col. 6, lines 35-39 (i.e., calendar example) as allegedly disclosing the features of an automatic sizing routine for automatically sizing the tile during an automatic mode. Applicants note that the nature of the automatic sizing performed in Hansen is different from the automatic sizing recited in claim 1. More specifically, the automatic sizing that takes place in Hansen at the referenced passages is responsive to user input having been received. For example, Hansen at col. 8, lines 42-44 (e.g., claim 2) demonstrates receiving (a fourth) user input for resizing a user interface graphic display shell, and in response to receiving the (fourth) user input, automatically resizing at least some of an application program panel displays in a single dimension. Applicants have amended claim 1 such that the automatic sizing routine is executed responsive to a change in tile content. Hansen fails to teach or suggest these features. Instead, Hansen at most demonstrates changing the size of a tile responsive to received user input. As such, claim 1 is patentably distinguishable over Hansen for at least these reasons.

Amended independent claim 8 recites feature similar to those described above with respect to claim 1. Thus, claim 8 is allowable for at least the same reasons discussed with respect to claim 1.

Amended independent claim 15 recites, among other features, "wherein the routine for automatically resizing the tile is executed by the computing device responsive to a change in tile content." As discussed above with respect to claim 1, Hansen demonstrates automatic resizing responsive to the receipt of user input. Thus, Hansen fails to disclose the above noted features as recited in claim 15. Claim 15 is therefore patentably distinguishable over Hansen for at least these reasons.

Independent claim 20 has been amended to recite features similar to those described above with respect to claim 1. Thus, claim 20 is allowable for substantially the same reasons as discussed above with respect to claim 1.

Amended independent claim 27 recites, among other features, "wherein the automatic resizing of the tile is permitted when a time differential between a first resizing event and a second resizing event is greater than a predetermined time interval, and wherein the tile is prevented from being automatically resized otherwise." Hansen is wholly devoid of such a teaching or suggestion. Thus, for at least these reasons, claim 27 is patentably distinguishable over Hansen.

Amended independent claim 33 recites, among other features, "wherein the automatic resizing component is configured to permit resizing when a time differential between a first resizing event and a second resizing event is greater than a predetermined time interval, and wherein the tile is prevented from being automatically resized otherwise." This feature is similar to the feature described above with respect to claim 27. Thus, claim 33 is allowable for substantially the same reasons as discussed above with respect to claim 27.

Amended independent claim 41 recites, among other features, "wherein the automatic resizing of the tile is permitted when a time differential between a first resizing event and a second resizing event is greater than a predetermined time interval, and wherein the tile is prevented from being automatically resized otherwise." This feature is similar to the feature described above with respect to claim 27. Thus, claim 41 is allowable for substantially the same reasons as discussed above with respect to claim 27.

Claims 2-5, 9, 12, 14, 16, 19, 21-23, 28-31, 34, 36, 38, 42, and 46, which each depend from at least one of claims 1, 8, 15, 20, 27, 33, and 41, are allowable for at least the same reasons

as their respective base claims, and further in view of the additional advantageous features recited therein.

For example, claim 4 recites "wherein a maximum size is set for the tile and in the manual mode a user is prevented from resizing the tile beyond the maximum size." The Office Action at page 5 alleges that Hansen discloses the features of a user being prevented from resizing the tile beyond a maximum size in col. 3, lines 50-52, and by virtue of a comparison of tiles 11, 12, and 32 and cursor 56 in Figures 13-15, noting the use and lack of "shift buttons". Applicants fail to see how the cited portions of Hansen (or any portions of Hansen, for that matter) disclose the above noted features as recited in claim 4. Applicants submit that the Office has impermissibly applied hindsight, reading the features recited in claim 4 into Hansen. In the event that the Office continues to apply Hansen in this manner, Applicants respectfully request the Office to provide a statement as to how the cited portions of Hansen teach or suggest these features. Applicants submit that Hansen is wholly devoid of any such teaching, and that claim 4 is distinguishable for at least these additional reasons.

Rejections under 35 U.S.C. § 103

Claims 6-7, 10-11, 17-18, 24-26, 32, 37, 39 and 43-45 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hansen in view of U.S. patent no. 6,437,758 B1 to Nielsen et al. ("Nielsen"). Applicants respectfully traverse this rejection.

Dependent claims 6-7, 10-11, 17-18, 24-26, 32, 37, 39 and 43-45 each depend from at least one of claims 1, 8, 15, 20, 27, 33, and 41. Notwithstanding whether a combination of Nielsen and Hansen is proper, Nielsen fails to overcome the deficiencies noted above with respect to claims 1, 8, 15, 20, 27, 33, and 41. Thus, the dependent claims are allowable over the proposed combination for at least the same reasons as their respective base claims, and further in view of the additional advantageous features recited therein.

For example, as discussed above in conjunction with claim 27, claim 27 recites, "wherein the automatic resizing of the tile is permitted when a time differential between a first resizing event and a second resizing event is greater than a predetermined time interval, and wherein the tile is prevented from being automatically resized otherwise." Applicants note that the recited

features are similar to those previously recited in claim 39, and the Office did not specifically point to any passage of Nielsen (or Hansen) as allegedly demonstrating the recited features as they previously appeared in claim 39.[1] Applicants have reviewed Nielsen and submit that Nielsen fails to teach or suggest the above noted features now recited in claim 27. Nielsen is directed to an apparatus, method, system and computer program product that uses gaze-tracking devices to determine an area of a display screen of most interest to a user, wherein the bandwidth associated with displayed items of interest is increased relative to those items that are of less interest to the user. See Nielsen Abstract. Nielsen at col. 13, line 52 – col. 14, line 15 and Figure 10 demonstrates a page 1001 from an electronic newspaper article, the same page depicted as having been zoomed-in in Figure 11 so as to focus on a partial text/article 1107. Nielsen at col. 14, lines 16-22 demonstrates that if the computer detects that a user's gaze has moved from the expanded article 1107, to a different title 1113, 1109, or 1117, the text of the associated article is expanded; at the same time, the text and title of the previously expanded article 1105, 1107 is slowly reduced so that the user's gaze is not attracted by the apparent movement caused by the reduction. Nielsen at col. 14, lines 22-25 demonstrates in the alternative that the user may utilize computer commands to cause the reduction and expansion of the articles and their associated title to be instantaneous. Thus, Nielsen demonstrates either slowly reducing the expansion when the user's gaze shifts (col. 14, lines 16-22), or alternatively, instantaneously shifting responsive to a shift in the user's gaze (col. 14, lines 22-25). As such, Nielsen fails to teach or suggest implementing features related to the automatic resizing of a tile being permitted when a time differential between a first resizing event and a second resizing event is greater than a predetermined time interval, and wherein the tile is prevented from being automatically resized otherwise. Instead, Nielsen imposes some form of resizing modification (e.g., either slow or instantaneous reduction) responsive to a user changing one's gaze-focus. Thus, claim 27 is patentably distinguishable over a combination of Nielsen and Hansen for at least these reasons, notwithstanding whether the combination of Nielsen and Hansen is proper.

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1 Applicants presume for purposes of responding that the Office intends to primarily rely on Nielsen as allegedly demonstrating the specific features previously recited in claim 39 (as opposed to Hansen), given the rejection of claim 39 on grounds of 35 U.S.C. § 103 (as opposed to a rejection based on § 102 and Hansen). If this assumption is inaccurate, Applicants respectfully request clarification in the next communication.

Amended dependent claim 39 recites "wherein the automatic resizing component is executed responsive to an application program being opened." Nelson fails to teach or suggest these features. Hansen fails to teach or suggest these features. Instead in Hansen, as discussed above with respect to claim 1, the adjustment of an application program panel display (e.g., the alleged tile) takes place responsive to received user input adjusting a user interface graphic display shell. Hansen, col. 8, lines 42-44. Hansen is devoid of any teaching or suggestion related to an automatic resizing component that is executed responsive to an application program being opened. Thus, claim 39 is patentably distinguishable over a combination of Nelson and Hansen, notwithstanding whether the combination of applied references is proper.

Claim 40 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hansen and Nielsen, and further in view of U.S. patent no. 5,880,725 to Southgate. Applicants respectfully traverse this rejection.

Claim 40 depends from claim 33. Notwithstanding whether any combination of Southgate, Hansen and Nielsen is proper, Southgate and Nielsen fail to cure the above noted deficiencies of Hansen with respect to claim 33. Thus, claim 40 is patentably distinguishable over the applied references for at least the same reasons discussed above with respect to claim 33.

Claims 13 and 35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hansen in view of U.S. patent no. 5,602,997 to Carpenter et al. ("Carpenter"). Applicants respectfully traverse this rejection.

Claims 13 and 35 depend from claims 8 and 33, respectively. Notwithstanding whether the combination of Carpenter and Hansen is proper, Carpenter fails to cure the above noted deficiencies of Hansen with respect to each of claims 8 and 33. Thus, claims 13 and 35 are allowable over Carpenter and Hansen for at least the same reasons as their respective base claims, and further in view of the additional advantageous features recited therein.

CONCLUSION

If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

All rejections having been addressed, applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,

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